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February 6, 2006

BY Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: **CERTIFICATION OF CPNI FILING FEBRUARY 6, 2006**
EB Docket No. 06-36 and EB-06-TC-060, CPNI Compliance Certifications

Dear Ms. Dortch:

In accordance with the Public Notices in the above-referenced dockets, *Enforcement Bureau Directs All Telecommunications Carriers to Submit CPNI Compliance Certifications*, DA 06-223 (rel. Jan. 30, 2006), and *Enforcement Bureau Opens New Docket for February 6, 2006 Filing of CPNI Compliance Certifications*, DA 06-258 (rel. Feb. 2, 2006), Verizon hereby provides copies of its certifications of compliance with the rules for protecting customer proprietary network information for the most recent period, pursuant to 47 C.F.R. § 64.2009(e). This filing includes certificates of compliance for both the Verizon telephone companies listed in Attachment A and the former MCI companies.¹

For Verizon Airfone and the MCI companies the 2005 certifications are attached. For the remaining Verizon entities, 2004 certifications are attached, which were signed in January and February 2005. Verizon is still in the process of obtaining 2005 certifications for these companies, which are scheduled to be completed later this month. Copies of those 2005 certifications will be produced in a supplemental response.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Grillo".

cc: Byron McCoy
Best Copy and Printing

¹ On January 6, 2006, MCI, Inc. merged into MCI, LLC, a wholly owned subsidiary of Verizon Communications Inc.

THE VERIZON TELEPHONE COMPANIES

For the purposes of this filing the Verizon telephone companies are the following entities affiliated with Verizon Communications Inc.:

Verizon Airfone Inc.

Verizon local exchange carriers:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Southwest Incorporated d/b/a Verizon Southwest
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.

Verizon long distance companies:

Bell Atlantic Communications, Inc. d/b/a Verizon Long Distance
NYNEX Long Distance Company d/b/a Verizon Enterprise Solutions
Verizon Select Services Inc.
Verizon Global Networks Inc.

Verizon Avenue Corp. companies:

OnePoint Communications–Colorado, L.L.C. d/b/a Verizon Avenue
OnePoint Communications–Georgia, L.L.C. d/b/a Verizon Avenue
OnePoint Communications–Illinois, L.L.C. d/b/a Verizon Avenue
VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue

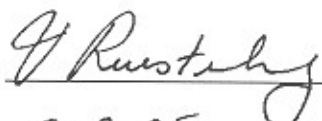
2004 COMPLIANCE CERTIFICATE

I, Virginia Ruesterholz, certify the following:

1. I currently hold the title of President, which is a position within Verizon's Wholesale Markets Group. In this position, I have responsibility for insuring that all operating procedures within my department are in compliance with applicable regulatory and legislative requirements.

2. It is the policy of Verizon to be in compliance with the Customer Proprietary Network Information (CPNI) requirements as contained in section 222 of the Communications Act, 47 U.S.C. §222 (the "Act"), and in sections 64.2001 through 64.2009 of the Commission's rules, 47 C.F.R. §§64.2001-64.2009.

3. After reviewing Verizon's CPNI compliance procedures, to the best of my knowledge and belief, Verizon's Wholesale Markets Group is in compliance with section 222 of the Act and the Commission's CPNI rules. The attached Verizon 2004 CPNI Compliance Statement accurately describes the internal controls currently in place to ensure ongoing compliance with these requirements.

Signature 
Date 2-8-05

Verizon 2004 CPNI Statement of Compliance

Section 64.2009(e) of the Federal Communications Commission's rules requires that a carrier have an officer, as an agent of the carrier, sign a compliance certificate on an annual basis that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's rules relating to customer proprietary network information ("CPNI"). It also requires that a statement explaining how a carrier's operating procedures ensure compliance accompany the officer certificate.

Compliance Statement

In order to insure compliance with Section 222 of the Communications Act of 1934 and the Commission's implementing rules, Verizon has established a comprehensive internal CPNI compliance program.¹ The program is designed to ensure that Verizon's various lines-of-business and affiliates understand the rules and have taken appropriate measures to comply. The core of the program is a Departmental Compliance Manager function in each business unit. These managers are responsible for developing, implementing, and overseeing CPNI compliance within their respective organizations. Thus, each business unit exercises oversight to ensure that its employees comply with the CPNI rules. Verizon Regulatory Compliance and Legal departments ensure that the Departmental Compliance Managers have been given clear direction on their compliance responsibilities and the details and proper interpretations of the Commission's CPNI rules. Verizon Regulatory Compliance, and Legal personnel work with the Departmental Compliance Managers on a regular basis to review issues that may arise and to provide advice and guidance.

The Departmental Compliance Manager responsibilities include:

- Insuring the ongoing availability and effectiveness of department-specific methods and procedures, and job aids for supervisory and non-supervisory personnel, covering all marketing and sales job functions within the department.
- Establishing awareness within the department of the importance and necessity of complying with the CPNI rules. This could include such programs as CPNI notices, periodic awareness training sessions, etc. In addition, all employees are specifically advised that careless or intentional disregard of Verizon CPNI guidelines may result in disciplinary action, up to and including dismissal.
- Instituting an ongoing training program for supervisory and non-supervisory personnel, including introductory training for employees that are newly entering the company or the department. The compliance manager is also charged with implementing job appropriate tracking mechanisms, such as employee sign-offs and training session rosters, to insure that all marketing and sales departmental employees have been appropriately trained and that such training can be subsequently verified.
- Performing internal operational reviews as appropriate at least once a year to evaluate the effectiveness of departmental methods and procedures and compliance guidelines.
- Managing and controlling access to domestic and international CPNI databases and dissemination of CPNI within and outside of the department to ensure that CPNI is disclosed only as permitted under the Commission's rules.

¹ Verizon's program encompasses both individual and aggregate CPNI and, where appropriate to the particular business organization, carrier information under section 222(b).

**Section 64.2005 Use of Customer Proprietary Network Information Without
Customer Approval**

(a) Any telecommunications carrier may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (*i.e.*, local, interexchange, and CMRS) to which the customer already subscribes from the same carrier, without customer approval.

(1) If a telecommunications carrier provides different categories of service, and a customer subscribes to more than one category of service offered by the carrier, the carrier is permitted to share CPNI among the carrier's affiliated entities that provide a service offering to the customer.

(2) If a telecommunications carrier provides different categories of service, but a customer does not subscribe to more than one offering by the carrier, the carrier is not permitted to share CPNI with its affiliates, except as provided in section 64.2007(b).

(b) A telecommunications carrier may not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from that carrier, unless that carrier has customer approval to do so, except as described in paragraph (c) of this section.

(1) A wireless provider may use, disclose, or permit access to CPNI derived from its provision of CMRS, without customer approval, for the provision of CPE and information service(s). A wireline carrier may use, disclose or permit access to CPNI derived from its provision of local exchange service or interexchange service, without customer approval, for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

(2) A telecommunications carrier may not use, disclose or permit access to CPNI to identify or track customers that call competing service providers. For example, a local exchange carrier may not use local service CPNI to track all customers that call local service competitors.

(c) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, as described in this subparagraph (c).

(1) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.

(2) CMRS providers may use, disclose, or permit access to CPNI for the purpose of conducting research on the health effects of CMRS.

(3) LECs and CMRS providers may use CPNI, without customer approval, to market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return,

repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain centrex features.

(d) A telecommunications carrier may use, disclose or permit access to CPNI to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

In the absence of customer approval, Verizon's operating procedures ensure that CPNI is only used to provide or market its service offerings to its customers within the category(ies) of telecommunications services (i.e., local, interexchange, and CMRS) to which the customer already subscribes (subject to the exceptions listed in 47 U.S.C. §222(d) and the exemptions in this subpart. In addition, in absence of customer approval (and subject to the above exemptions in this subpart), Verizon's procedures ensure that CPNI will be shared only with affiliates that provide telecommunications services in the categories to which the customer already subscribes.

Section 64.2007: Approval Required for Use of Customer Proprietary Network Information

(a) A telecommunications carrier may obtain approval through written, oral or electronic methods.

(1) A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

(2) Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval.

(3) A telecommunications carrier must maintain records of approval, whether oral, written or electronic, for at least one year.

Verizon's operating procedures ensure that when Verizon obtains customer consent for use of CPNI for out-of-bucket marketing, it does so through written, oral, or electronic methods. When Verizon relies on oral approval, appropriate mechanisms are established to demonstrate that the customer has been appropriately notified and that consent has been appropriately obtained. Verizon maintains records of its opt-in or opt-out approvals that it obtains from its customers, whether oral, written or electronic, for at least one year. Such records may be kept in paper or electronic format.

b) Use of Opt-Out and Opt-In Approval Processes.

(1) A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications carrier may, subject to opt-out approval

or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to (i) its agents, (ii) its affiliates that provide communications-related services, and (iii) its joint venture partners and independent contractors. A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes. Any such disclosure to or access provided to joint venture partners and independent contractors shall be subject to the safeguards set forth below in paragraph (2) of this subsection (b).

Verizon uses both opt-out and opt-in approval to obtain approval from a customer to use the customer's individual identifiable CPNI for the purpose of marketing communications-related services to that customer that are not associated with the type of services that a customer already subscribes, unless such use is permitted under the exemptions listed in 47 U.S.C. §222(d) and §§64.2005 (b)(1), (b)(2), (c) and (d) of the Commission's rules. Verizon's operating procedures ensure that CPNI is only disclosed or made accessible to its agents, affiliates, joint venture partners and independent contractors that provide communications-related services or as permitted under the exemptions listed above.

(2) *Joint Venture/Contractor Safeguards.* A telecommunications carrier that discloses or provides access to CPNI to its joint venture partners or independent contractors shall enter into confidentiality agreements with independent contractors or joint venture partners that comply with the following requirements. The confidentiality agreement shall: (A) require that the independent contractor or joint venture partner use the CPNI only for the purpose of marketing or providing the communications-related services for which that CPNI has been provided; (B) disallow the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; (C) require that the independent contractor or joint venture partner have appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.

When Verizon discloses or provides access to its CPNI to its joint venture partners or independent contractors, Verizon procedures require that it enter into a confidentiality agreement with those parties. The agreements meet the requirements and conditions as outlined in this subpart.

(3) Except for use and disclosure of CPNI that is permitted without customer approval under section 64.2005, or that is described in paragraph (1) of this section, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

Verizon will obtain opt-in approval when using or disclosing CPNI for purposes other than permitted under opt-out or in 47 U.S.C. §222 and the Commission's implementing rules including obtaining customer consent to use or disclose CPNI to offer non-communications related services.

Section 64.2008: Notice Required for Use of Customer Proprietary Network Information

(a) *Notification Generally.* (1) Prior to any solicitation for customer approval, a telecommunications carrier must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

(2) A telecommunications carrier must maintain records of notification, whether oral, written or electronic, for at least one year.

(b) Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

(c) *Content of Notice.* Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.

(1) The notification must state that the customer has a right, and the carrier has a duty, under federal law, to protect the confidentiality of CPNI.

(2) The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

(3) The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, carriers may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

(4) The notification must be comprehensible and must not be misleading.

(5) If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.

(6) If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

(7) A carrier may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs. A carrier also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

(8) A carrier may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

(9) The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.

(10) A telecommunications carrier's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

Verizon provides opt-out and opt-in notice consistent with the requirements of this subsection.

(d) *Notice Requirements Specific to Opt-Out.* A telecommunications carrier must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph (f) of this section). The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon currently provides opt-out notice in writing and provides such notice consistent with the requirements of this section.

(1) Carriers must wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. A carrier may, in its discretion, provide for a longer period. Carriers must notify customers as to the applicable waiting period for a response before approval is assumed.

Verizon has implemented a minimum 30-day waiting period when providing opt-out notice and allows five additional days for mailing before using CPNI under opt-out.

(A) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent.

(B) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

(2) Carriers using the opt-out mechanism must provide notices to their customers every two years.

(3) Telecommunications carriers that use e-mail to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:

(A) carriers must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

(B) carriers must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

(C) opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice; and

(D) carriers that use e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail.

Verizon does not currently use e-mail to provide customer opt-out notification.

(E) Telecommunications carriers must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available 24 hours a day, seven days a week. Carriers may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.

Verizon has established a series of 800 numbers that customers may use to opt-out or to remove a prior opt-out restriction. The 800 numbers are available 24 hours a day, seven days a week. Verizon's customers may also opt-out by contacting their customer service representative or account manager.

(e) *Notice Requirements Specific to Opt-In.* (1) A telecommunications carrier may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon provides opt-in notification in writing and those notices comply with the requirements of this section.

f) *Notice Requirements Specific to One-Time Use of CPNI.* Carriers may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.

(1) The contents of any such notification must comply with the requirements of subsection (c) of this section, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

(A) carriers need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election.

(B) carriers need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party.

(C) carriers need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the approval the carrier seeks is limited to one-time use.

(D) carriers may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to his CPNI for the call.

Verizon uses oral notice to obtain customer consent to use CPNI for the duration of the customer call. The oral notice complies with the requirements of this section.

Section 64.2009: Safeguards Required for Use of Customer Proprietary Network Information

(a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

Verizon has implemented operational and systems tools and safeguards which enable marketing and sales personnel to establish the status of a customer's CPNI approval prior to the use of CPNI for a purpose that requires prior customer approval.

(b) Telecommunications carriers must train their personnel as to when they are, and are not, authorized to use CPNI, and carriers must have an express disciplinary process in place.

Verizon has established a comprehensive compliance program that includes an employee training program component within each business unit. Employees are fully informed that disregard of CPNI rules will result in disciplinary action. In addition, access to CPNI is provided on only on a need-to-know basis with operating procedures governing the use of CPNI.

(c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year.

Verizon has implemented operational procedures and systems that identify and maintain a record of marketing and sales campaigns that utilize CPNI including records of disclosure to or access by third parties. These records are maintained for a minimum of one year. The content of the records meets the Commission's requirements outlined above.

(d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain

records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

Verizon requires that an employee who proposes an outbound marketing campaign that involves the use of CPNI obtain approval from that employee's supervisor before initiating that campaign. Verizon maintains records of its marketing campaigns and supervisory reviews for a minimum of one year.

(c) A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart.

The required officer certification accompanies this statement. Verizon will obtain a similar certification and statement annually.

(f) Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

(2) Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out.

Verizon has established a process to provide written notice to the Commission within five business days of an opt-out mechanism failure that is more than an anomaly. The notice meets the content requirements identified in this subsection.

2004 COMPLIANCE CERTIFICATE

I, Eduardo Menasce, certify the following:

1. I currently hold the title of President, which is a position within Verizon Enterprise Solutions Group. In this position, I have responsibility for insuring that all operating procedures within my department are in compliance with applicable regulatory and legislative requirements.

2. It is the policy of Verizon to be in compliance with the Customer Proprietary Network Information (CPNI) requirements as contained in section 222 of the Communications Act, 47 U.S.C. §222 (the "Act"), and in sections 64.2001 through 64.2009 of the Commission's rules, 47 C.F.R. §§64.2001-64.2009.

3. After reviewing Verizon's CPNI compliance procedures, to the best of my knowledge and belief, Verizon's Enterprise Solutions Group is in compliance with section 222 of the Act and the Commission's CPNI rules. The attached Verizon 2004 CPNI Compliance Statement accurately describes the internal controls currently in place to ensure ongoing compliance with these requirements.

Signature 

Date 1/24/05

Verizon 2004 CPNI Statement of Compliance

Section 64.2009(e) of the Federal Communications Commission's rules requires that a carrier have an officer, as an agent of the carrier, sign a compliance certificate on an annual basis that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's rules relating to customer proprietary network information ("CPNI"). It also requires that a statement explaining how a carrier's operating procedures ensure compliance accompany the officer certificate.

Compliance Statement

In order to insure compliance with Section 222 of the Communications Act of 1934 and the Commission's implementing rules, Verizon has established a comprehensive internal CPNI compliance program.¹ The program is designed to ensure that Verizon's various lines-of-business and affiliates understand the rules and have taken appropriate measures to comply. The core of the program is a Departmental Compliance Manager function in each business unit. These managers are responsible for developing, implementing, and overseeing CPNI compliance within their respective organizations. Thus, each business unit exercises oversight to ensure that its employees comply with the CPNI rules. Verizon Regulatory Compliance and Legal departments ensure that the Departmental Compliance Managers have been given clear direction on their compliance responsibilities and the details and proper interpretations of the Commission's CPNI rules. Verizon Regulatory Compliance, and Legal personnel work with the Departmental Compliance Managers on a regular basis to review issues that may arise and to provide advice and guidance.

The Departmental Compliance Manager responsibilities include:

- Insuring the ongoing availability and effectiveness of department-specific methods and procedures, and job aids for supervisory and non-supervisory personnel, covering all marketing and sales job functions within the department.
- Establishing awareness within the department of the importance and necessity of complying with the CPNI rules. This could include such programs as CPNI notices, periodic awareness training sessions, etc. In addition, all employees are specifically advised that careless or intentional disregard of Verizon CPNI guidelines may result in disciplinary action, up to and including dismissal.
- Instituting an ongoing training program for supervisory and non-supervisory personnel, including introductory training for employees that are newly entering the company or the department. The compliance manager is also charged with implementing job appropriate tracking mechanisms, such as employee sign-offs and training session rosters, to insure that all marketing and sales departmental employees have been appropriately trained and that such training can be subsequently verified.
- Performing internal operational reviews as appropriate at least once a year to evaluate the effectiveness of departmental methods and procedures and compliance guidelines.
- Managing and controlling access to domestic and international CPNI databases and dissemination of CPNI within and outside of the department to ensure that CPNI is disclosed only as permitted under the Commission's rules.

¹ Verizon's program encompasses both individual and aggregate CPNI and, where appropriate to the particular business organization, carrier information under section 222(b).

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(b) A telecommunications carrier may not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from that carrier, unless that carrier has customer approval to do so, except as described in paragraph (c) of this section.

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In the absence of customer approval, Verizon's operating procedures ensure that CPNI is only used to provide or market its service offerings to its customers within the category(ies) of telecommunications services (i.e., local, interexchange, and CMRS) to which the customer already subscribes (subject to the exceptions listed in 47 U.S.C. §222(d) and the exemptions in this subpart. In addition, in absence of customer approval (and subject to the above exemptions in this subpart), Verizon's procedures ensure that CPNI will be shared only with affiliates that provide telecommunications services in the categories to which the customer already subscribes.

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(1) A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications carrier may, subject to opt-out approval

or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to (i) its agents, (ii) its affiliates that provide communications-related services, and (iii) its joint venture partners and independent contractors. A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes. Any such disclosure to or access provided to joint venture partners and independent contractors shall be subject to the safeguards set forth below in paragraph (2) of this subsection (b).

Verizon uses both opt-out and opt-in approval to obtain approval from a customer to use the customer's individual identifiable CPNI for the purpose of marketing communications-related services to that customer that are not associated with the type of services that a customer already subscribes, unless such use is permitted under the exemptions listed in 47 U.S.C. §222(d) and §64.2005 (b)(1), (b)(2), (c) and (d) of the Commission's rules. Verizon's operating procedures ensure that CPNI is only disclosed or made accessible to its agents, affiliates, joint venture partners and independent contractors that provide communications-related services or as permitted under the exemptions listed above.

(2) *Joint Venture/Contractor Safeguards.* A telecommunications carrier that discloses or provides access to CPNI to its joint venture partners or independent contractors shall enter into confidentiality agreements with independent contractors or joint venture partners that comply with the following requirements. The confidentiality agreement shall: (A) require that the independent contractor or joint venture partner use the CPNI only for the purpose of marketing or providing the communications-related services for which that CPNI has been provided; (B) disallow the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; (C) require that the independent contractor or joint venture partner have appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.

When Verizon discloses or provides access to its CPNI to its joint venture partners or independent contractors, Verizon procedures require that it enter into a confidentiality agreement with those parties. The agreements meet the requirements and conditions as outlined in this subpart.

(3) Except for use and disclosure of CPNI that is permitted without customer approval under section 64.2005, or that is described in paragraph (1) of this section, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

Verizon will obtain opt-in approval when using or disclosing CPNI for purposes other than permitted under opt-out or in 47 U.S.C. §222 and the Commission's implementing rules including obtaining customer consent to use or disclose CPNI to offer non-communications related services.

Section 64.2008: Notice Required for Use of Customer Proprietary Network Information

(a) *Notification Generally.* (1) Prior to any solicitation for customer approval, a telecommunications carrier must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

(2) A telecommunications carrier must maintain records of notification, whether oral, written or electronic, for at least one year.

(b) Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

(c) *Content of Notice.* Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.

(1) The notification must state that the customer has a right, and the carrier has a duty, under federal law, to protect the confidentiality of CPNI.

(2) The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

(3) The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, carriers may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

(4) The notification must be comprehensible and must not be misleading.

(5) If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.

(6) If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

(7) A carrier may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs. A carrier also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

(8) A carrier may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

(9) The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.

(10) A telecommunications carrier's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

Verizon provides opt-out and opt-in notice consistent with the requirements of this subsection.

(d) *Notice Requirements Specific to Opt-Out.* A telecommunications carrier must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph (f) of this section). The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon currently provides opt-out notice in writing and provides such notice consistent with the requirements of this section.

(1) Carriers must wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. A carrier may, in its discretion, provide for a longer period. Carriers must notify customers as to the applicable waiting period for a response before approval is assumed.

Verizon has implemented a minimum 30-day waiting period when providing opt-out notice and allows five additional days for mailing before using CPNI under opt-out.

(A) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent.

(B) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

(2) Carriers using the opt-out mechanism must provide notices to their customers every two years.

(3) Telecommunications carriers that use e-mail to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:

(A) carriers must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

(B) carriers must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

(C) opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice; and

(D) carriers that use e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail.

Verizon does not currently use e-mail to provide customer opt-out notification.

(E) Telecommunications carriers must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available 24 hours a day, seven days a week. Carriers may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.

Verizon has established a series of 800 numbers that customers may use to opt-out or to remove a prior opt-out restriction. The 800 numbers are available 24 hours a day, seven days a week. Verizon's customers may also opt-out by contacting their customer service representative or account manager.

(c) *Notice Requirements Specific to Opt-In.* (1) A telecommunications carrier may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon provides opt-in notification in writing and those notices comply with the requirements of this section.

f) *Notice Requirements Specific to One-Time Use of CPNI.* Carriers may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.

(1) The contents of any such notification must comply with the requirements of subsection (c) of this section, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

(A) carriers need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election.

(B) carriers need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party.

(C) carriers need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the approval the carrier seeks is limited to one-time use.

(D) carriers may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to his CPNI for the call.

Verizon uses oral notice to obtain customer consent to use CPNI for the duration of the customer call. The oral notice complies with the requirements of this section.

Section 64.2009: Safeguards Required for Use of Customer Proprietary Network Information

(a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

Verizon has implemented operational and systems tools and safeguards which enable marketing and sales personnel to establish the status of a customer's CPNI approval prior to the use of CPNI for a purpose that requires prior customer approval.

(b) Telecommunications carriers must train their personnel as to when they are, and are not, authorized to use CPNI, and carriers must have an express disciplinary process in place.

Verizon has established a comprehensive compliance program that includes an employee training program component within each business unit. Employees are fully informed that disregard of CPNI rules will result in disciplinary action. In addition, access to CPNI is provided on only on a need-to-know basis with operating procedures governing the use of CPNI.

(c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year.

Verizon has implemented operational procedures and systems that identify and maintain a record of marketing and sales campaigns that utilize CPNI including records of disclosure to or access by third parties. These records are maintained for a minimum of one year. The content of the records meets the Commission's requirements outlined above.

(d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain

records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

Verizon requires that an employee who proposes an outbound marketing campaign that involves the use of CPNI obtain approval from that employee's supervisor before initiating that campaign. Verizon maintains records of its marketing campaigns and supervisory reviews for a minimum of one year.

(c) A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart.

The required officer certification accompanies this statement. Verizon will obtain a similar certification and statement annually.

(f) Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

(2) Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out.

Verizon has established a process to provide written notice to the Commission within five business days of an opt-out mechanism failure that is more than an anomaly. The notice meets the content requirements identified in this subsection.

2004 COMPLIANCE CERTIFICATE

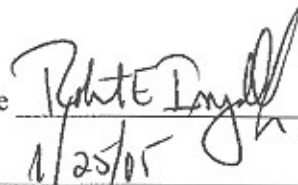
I, Robert E. Ingalls, Jr., certify the following:

1. I currently hold the title of President and Chief Operations Officer, which is a position within Verizon Retail Markets. In this position, I have responsibility for insuring that all operating procedures within my department are in compliance with applicable regulatory and legislative requirements.

2. It is the policy of Verizon to be in compliance with the Customer Proprietary Network Information (CPNI) requirements as contained in section 222 of the Communications Act, 47 U.S.C. §222 (the "Act"), and in sections 64.2001 through 64.2009 of the Commission's rules, 47 C.F.R. §§64.2001-64.2009.

3. After reviewing Verizon's CPNI compliance procedures, to the best of my knowledge and belief, Verizon's Retail Markets Group is in compliance with section 222 of the Act and the Commission's CPNI rules. The attached Verizon 2004 CPNI Compliance Statement accurately describes the internal controls currently in place to ensure ongoing compliance with these requirements.

Signature



Date

1/25/05

Verizon 2004 CPNI Statement of Compliance

Section 64.2009(e) of the Federal Communications Commission's rules requires that a carrier have an officer, as an agent of the carrier, sign a compliance certificate on an annual basis that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's rules relating to customer proprietary network information ("CPNI"). It also requires that a statement explaining how a carrier's operating procedures ensure compliance accompany the officer certificate.

Compliance Statement

In order to insure compliance with Section 222 of the Communications Act of 1934 and the Commission's implementing rules, Verizon has established a comprehensive internal CPNI compliance program.¹ The program is designed to ensure that Verizon's various lines-of-business and affiliates understand the rules and have taken appropriate measures to comply. The core of the program is a Departmental Compliance Manager function in each business unit. These managers are responsible for developing, implementing, and overseeing CPNI compliance within their respective organizations. Thus, each business unit exercises oversight to ensure that its employees comply with the CPNI rules. Verizon Regulatory Compliance and Legal departments ensure that the Departmental Compliance Managers have been given clear direction on their compliance responsibilities and the details and proper interpretations of the Commission's CPNI rules. Verizon Regulatory Compliance, and Legal personnel work with the Departmental Compliance Managers on a regular basis to review issues that may arise and to provide advice and guidance.

The Departmental Compliance Manager responsibilities include:

- Insuring the ongoing availability and effectiveness of department-specific methods and procedures, and job aids for supervisory and non-supervisory personnel, covering all marketing and sales job functions within the department.
- Establishing awareness within the department of the importance and necessity of complying with the CPNI rules. This could include such programs as CPNI notices, periodic awareness training sessions, etc. In addition, all employees are specifically advised that careless or intentional disregard of Verizon CPNI guidelines may result in disciplinary action, up to and including dismissal.
- Instituting an ongoing training program for supervisory and non-supervisory personnel, including introductory training for employees that are newly entering the company or the department. The compliance manager is also charged with implementing job appropriate tracking mechanisms, such as employee sign-offs and training session rosters, to insure that all marketing and sales departmental employees have been appropriately trained and that such training can be subsequently verified.
- Performing internal operational reviews as appropriate at least once a year to evaluate the effectiveness of departmental methods and procedures and compliance guidelines.
- Managing and controlling access to domestic and international CPNI databases and dissemination of CPNI within and outside of the department to ensure that CPNI is disclosed only as permitted under the Commission's rules.

¹ Verizon's program encompasses both individual and aggregate CPNI and, where appropriate to the particular business organization, carrier information under section 222(b).

Section 64.2005 Use of Customer Proprietary Network Information Without Customer Approval

(a) Any telecommunications carrier may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (*i.e.*, local, interexchange, and CMRS) to which the customer already subscribes from the same carrier, without customer approval.

(1) If a telecommunications carrier provides different categories of service, and a customer subscribes to more than one category of service offered by the carrier, the carrier is permitted to share CPNI among the carrier's affiliated entities that provide a service offering to the customer.

(2) If a telecommunications carrier provides different categories of service, but a customer does not subscribe to more than one offering by the carrier, the carrier is not permitted to share CPNI with its affiliates, except as provided in section 64.2007(b).

(b) A telecommunications carrier may not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from that carrier, unless that carrier has customer approval to do so, except as described in paragraph (c) of this section.

(1) A wireless provider may use, disclose, or permit access to CPNI derived from its provision of CMRS, without customer approval, for the provision of CPE and information service(s). A wireline carrier may use, disclose or permit access to CPNI derived from its provision of local exchange service or interexchange service, without customer approval, for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.

(2) A telecommunications carrier may not use, disclose or permit access to CPNI to identify or track customers that call competing service providers. For example, a local exchange carrier may not use local service CPNI to track all customers that call local service competitors.

(c) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, as described in this subparagraph (c).

(1) A telecommunications carrier may use, disclose, or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.

(2) CMRS providers may use, disclose, or permit access to CPNI for the purpose of conducting research on the health effects of CMRS.

(3) LECs and CMRS providers may use CPNI, without customer approval, to market services formerly known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return,

repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain centrex features.

(d) A telecommunications carrier may use, disclose or permit access to CPNI to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

In the absence of customer approval, Verizon's operating procedures ensure that CPNI is only used to provide or market its service offerings to its customers within the category(ies) of telecommunications services (i.e., local, interexchange, and CMRS) to which the customer already subscribes (subject to the exceptions listed in 47 U.S.C. §222(d) and the exemptions in this subpart. In addition, in absence of customer approval (and subject to the above exemptions in this subpart), Verizon's procedures ensure that CPNI will be shared only with affiliates that provide telecommunications services in the categories to which the customer already subscribes.

Section 64.2007: Approval Required for Use of Customer Proprietary Network Information

(a) A telecommunications carrier may obtain approval through written, oral or electronic methods.

(1) A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part.

(2) Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval.

(3) A telecommunications carrier must maintain records of approval, whether oral, written or electronic, for at least one year.

Verizon's operating procedures ensure that when Verizon obtains customer consent for use of CPNI for out-of-bucket marketing, it does so through written, oral, or electronic methods. When Verizon relies on oral approval, appropriate mechanisms are established to demonstrate that the customer has been appropriately notified and that consent has been appropriately obtained. Verizon maintains records of its opt-in or opt-out approvals that it obtains from its customers, whether oral, written or electronic, for at least one year. Such records may be kept in paper or electronic format.

b) Use of Opt-Out and Opt-In Approval Processes.

(1) A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications carrier may, subject to opt-out approval

or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to (i) its agents, (ii) its affiliates that provide communications-related services, and (iii) its joint venture partners and independent contractors. A telecommunications carrier may also permit such persons or entities to obtain access to such CPNI for such purposes. Any such disclosure to or access provided to joint venture partners and independent contractors shall be subject to the safeguards set forth below in paragraph (2) of this subsection (b).

Verizon uses both opt-out and opt-in approval to obtain approval from a customer to use the customer's individual identifiable CPNI for the purpose of marketing communications-related services to that customer that are not associated with the type of services that a customer already subscribes, unless such use is permitted under the exemptions listed in 47 U.S.C. §222(d) and §64.2005 (b)(1), (b)(2), (c) and (d) of the Commission's rules. Verizon's operating procedures ensure that CPNI is only disclosed or made accessible to its agents, affiliates, joint venture partners and independent contractors that provide communications-related services or as permitted under the exemptions listed above.

(2) *Joint Venture/Contractor Safeguards.* A telecommunications carrier that discloses or provides access to CPNI to its joint venture partners or independent contractors shall enter into confidentiality agreements with independent contractors or joint venture partners that comply with the following requirements. The confidentiality agreement shall: (A) require that the independent contractor or joint venture partner use the CPNI only for the purpose of marketing or providing the communications-related services for which that CPNI has been provided; (B) disallow the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; (C) require that the independent contractor or joint venture partner have appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.

When Verizon discloses or provides access to its CPNI to its joint venture partners or independent contractors, Verizon procedures require that it enter into a confidentiality agreement with those parties. The agreements meet the requirements and conditions as outlined in this subpart.

(3) Except for use and disclosure of CPNI that is permitted without customer approval under section 64.2005, or that is described in paragraph (1) of this section, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval.

Verizon will obtain opt-in approval when using or disclosing CPNI for purposes other than permitted under opt-out or in 47 U.S.C. §222 and the Commission's implementing rules including obtaining customer consent to use or disclose CPNI to offer non-communications related services.

Section 64.2008: Notice Required for Use of Customer Proprietary Network Information

(a) *Notification Generally.* (1) Prior to any solicitation for customer approval, a telecommunications carrier must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI.

(2) A telecommunications carrier must maintain records of notification, whether oral, written or electronic, for at least one year.

(b) Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

(c) *Content of Notice.* Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.

(1) The notification must state that the customer has a right, and the carrier has a duty, under federal law, to protect the confidentiality of CPNI.

(2) The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.

(3) The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However, carriers may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.

(4) The notification must be comprehensible and must not be misleading.

(5) If written notification is provided, the notice must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.

(6) If any portion of a notification is translated into another language, then all portions of the notification must be translated into that language.

(7) A carrier may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs. A carrier also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.

(8) A carrier may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.

(9) The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.

(10) A telecommunications carrier's solicitation for approval must be proximate to the notification of a customer's CPNI rights.

Verizon provides opt-out and opt-in notice consistent with the requirements of this subsection.

(d) *Notice Requirements Specific to Opt-Out.* A telecommunications carrier must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph (f) of this section). The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon currently provides opt-out notice in writing and provides such notice consistent with the requirements of this section.

(1) Carriers must wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. A carrier may, in its discretion, provide for a longer period. Carriers must notify customers as to the applicable waiting period for a response before approval is assumed.

Verizon has implemented a minimum 30-day waiting period when providing opt-out notice and allows five additional days for mailing before using CPNI under opt-out.

(A) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent.

(B) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.

(2) Carriers using the opt-out mechanism must provide notices to their customers every two years.

(3) Telecommunications carriers that use e-mail to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:

(A) carriers must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;

(B) carriers must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;

(C) opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice; and

(D) carriers that use e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail.

Verizon does not currently use e-mail to provide customer opt-out notification.

(E) Telecommunications carriers must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available 24 hours a day, seven days a week. Carriers may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.

Verizon has established a series of 800 numbers that customers may use to opt-out or to remove a prior opt-out restriction. The 800 numbers are available 24 hours a day, seven days a week. Verizon's customers may also opt-out by contacting their customer service representative or account manager.

(c) *Notice Requirements Specific to Opt-In.* (1) A telecommunications carrier may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of subsection (c) of this section.

Verizon provides opt-in notification in writing and those notices comply with the requirements of this section.

f) *Notice Requirements Specific to One-Time Use of CPNI.* Carriers may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.

(1) The contents of any such notification must comply with the requirements of subsection (c) of this section, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:

(A) carriers need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election.

(B) carriers need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party.

(C) carriers need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the approval the carrier seeks is limited to one-time use.

(D) carriers may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to his CPNI for the call.

Verizon uses oral notice to obtain customer consent to use CPNI for the duration of the customer call. The oral notice complies with the requirements of this section.

Section 64.2009: Safeguards Required for Use of Customer Proprietary Network Information

(a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

Verizon has implemented operational and systems tools and safeguards which enable marketing and sales personnel to establish the status of a customer's CPNI approval prior to the use of CPNI for a purpose that requires prior customer approval.

(b) Telecommunications carriers must train their personnel as to when they are, and are not, authorized to use CPNI, and carriers must have an express disciplinary process in place.

Verizon has established a comprehensive compliance program that includes an employee training program component within each business unit. Employees are fully informed that disregard of CPNI rules will result in disciplinary action. In addition, access to CPNI is provided on only on a need-to-know basis with operating procedures governing the use of CPNI.

(c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year.

Verizon has implemented operational procedures and systems that identify and maintain a record of marketing and sales campaigns that utilize CPNI including records of disclosure to or access by third parties. These records are maintained for a minimum of one year. The content of the records meets the Commission's requirements outlined above.

(d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain

records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

Verizon requires that an employee who proposes an outbound marketing campaign that involves the use of CPNI obtain approval from that employee's supervisor before initiating that campaign. Verizon maintains records of its marketing campaigns and supervisory reviews for a minimum of one year.

(e) A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart.

The required officer certification accompanies this statement. Verizon will obtain a similar certification and statement annually.

(f) Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it will be/was implemented, whether the relevant state commission(s) has been notified and whether it has taken any action, a copy of the notice provided to customers, and contact information.

(2) Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out.

Verizon has established a process to provide written notice to the Commission within five business days of an opt-out mechanism failure that is more than an anomaly. The notice meets the content requirements identified in this subsection.

VERIZON AIRFONE 2005 CPNI COMPLIANCE CERTIFICATE

I, William Pallone, certify the following:

1. I currently hold the title of President, which is a position within Verizon Airfone Inc. (Airfone). In this position, I have responsibility for insuring that all operating procedures within Airfone are in compliance with applicable regulatory and legislative requirements.

2. It is the policy of Airfone to be in compliance with the Customer Proprietary Network Information (CPNI) requirements as contained in section 222 of the Communications Act, 47 U.S.C. §222 (the "Act"), and in sections 64.2001 through 64.2009 of the Commission's rules, 47 C.F.R. §§64.2001-64.2009.

3. After reviewing Airfone's CPNI compliance procedures, to the best of my knowledge and belief, Airfone is in compliance with section 222 of the Act and the Commission's CPNI rules. The attached Verizon Airfone 2005 CPNI Compliance Statement accurately describes the internal controls currently in place to ensure ongoing compliance with these requirements.

Signature William Pallone

Date 02-03-2006

Verizon Airfone 2005 CPNI Compliance Statement

Verizon Airfone Incorporated (Verizon Airfone) provides air-to-ground telephone service to passengers of commercial airlines and companies owning or operating their own private aircraft (General Aviation Service). In addition, Verizon Airfone has a very small number of airline employee customers who have signed up to receive a discount on their in-flight Airfone calls. Because of the unique nature of its business, Airfone did not use, disclose or permit access to CPNI for the purpose of marketing its own or any other service in 2005. In addition, Verizon Airfone does not otherwise sell, disclose or share its CPNI outside Verizon Airfone, other than for bill collection purposes.

§ 64.2005 Use of customer proprietary network information without customer approval

(a) Any telecommunication carrier may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (i.e., local , inter-exchange and CMRS) to which the customer already subscribes from the same carrier, without customer approval.
(1) If a telecommunications carrier provided different categories of service and a customer subscribes to more that one category of service offered by the carrier, the carrier is permitted to share CPNI among the carrier's affiliated entities that provide a service offering to the customer.
(2) If a telecommunications carrier provides different categories of service, but a customer does not subscribe to more than one offering by the carrier, the carrier is not permitted to share the CPNI with its affiliates except as provided in §64.2007 (b).
(b) A telecommunications carrier may not use, disclose, or permit access to CPNI to market to a customer service offerings that are within a category of service to which the subscriber does not already subscribe from that carrier, unless that carrier has customer approval to do so, except as described in paragraph (c) of this section.
(1) A wireless provider may use, disclose or permit access to CPNI derived form its provision of CMRS, without customer approval, for the provisions of CPE and information service(s). A wireline carrier may use, disclose or permit access to CPNI derived from its provision of local exchange service or interchange service, without customer approval, for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store and forward, and protocol conversion.
(2) A telecommunications carrier may not use, disclose or permit access to CPNI, to identify or track customers that call competing service providers. For example, a local exchange carrier may not use local service CPNI to track all customers that call local service competitors.
(C) A communications carrier may use, disclose or permit access to CPNI, without customer approval, as described in this paragraph (C)
(1) A telecommunications carrier may use disclose or permit access to CPNI, without customer approval, in its provision of inside wiring installation, maintenance, and repair services.
(2) CMRS providers may use, disclose, or permit access to CPNI, for the purpose of conducting research on the health effects of CMRS.
(3) LECs and CMRS providers may use CPNI, without customer approval to market services formally known as adjunct-to-basic services, such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring , call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call

forwarding, and certain centrex features.
(d) A telecommunications carrier may use, disclose, or permit access to CPNI to protect the rights or property of the carrier, or to protect users from those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.
Airfone Statement: Airfone did not use, disclose or permit access to CPNI to market its air-to-ground telephone service or any other service during 2005. Customer information is obtained to initiate service but thereafter it is only used to bill for telephone calls made.

§ 64.2007 Approval required for use of customer proprietary network information

(e) A telecommunication carrier may obtain approval through written oral or electronic methods.
(1) A telecommunications carrier relying on oral approval shall bear the burden of demonstrating that such approval has been given in compliance with the Commission's rules in this part
(2) Approval or disapproval to use, disclose, or permit access to a customer's CPNI obtained by a telecommunications carrier must remain in effect until the customer revokes or limits such approval or disapproval.
(3) A telecommunications carrier must maintain records of approval, whether oral, written or electronic for at least, one year.
(b) <i>Use of Opt-Out and Opt-In Approval Processes.</i> (1) A telecommunications carrier may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. A telecommunications carrier may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services, to that customer, to its agents; its affiliates that provide communications-related services; and its joint venture partners and independent contractors. A telecommunications carrier may also permit such persons or entities to obtain such access to such CPNI for such purposes. Any such disclosure to or access provided to joint venture partners and independent contractors shall be subject to the safeguards set forth in paragraph (b)(2) of this section.
(2) <i>Joint Venture/Contractor Safeguards.</i> A telecommunications carrier that discloses or provides access to CPNI to its joint venture partners or independent contractors shall enter into confidentiality agreements with independent contractors or joint venture partners that comply with the following requirements. The confidentiality agreement shall:
(i) Require that the independent contractor or joint venture partner use the CPNI only for

the purpose of marketing or providing the communications-related services for which that CPNI has been provided;
(ii) Disallow the independent contractor or joint venture partner from using, allowing access to, or disclosing the CPNI to any other party, unless required to make such disclosure under force of law; and
(iii) Require that the independent contractor or joint venture partner have appropriate protections in place to ensure the ongoing confidentiality of consumers' CPNI.
(3) Except for use and disclosure of CPNI that is permitted without customer approval under section 64.2005 or that is described in paragraph (b)(1) of this section, or as otherwise provided in section 222 of the Communications Act of 1934, as amended, a telecommunications carrier may only use, disclose, or permit access to its customer's individually identifiable CPNI subject to opt-in approval. [67 FR 59212, Sept 20, 2002]
Airfone Statement: Airfone did not use, disclose or permit access to CPNI to market its air-to-ground telephone service or any other service during 2005. Customer information is obtained to initiate service but thereafter it is only used to bill for telephone calls made.

64.2008 Notice required for use of customer proprietary network information

(a) <i>Notification, Generally.</i> (1) Prior to any solicitation for customer approval, a telecommunications carrier must provide notification to the customer of the customer's right to restrict use of, disclosure of, and access to that customers' CPNI.
(2) A telecommunications carrier must maintain records of notification, whether oral, written or electronic for at least one year.
(b) Individual notice to customers must be provided when soliciting approval to use, disclose, or permit access to customers' CPNI.
(c) <i>Content of Notice.</i> Customer notification must provide sufficient information to enable the customer to make an informed decision as to whether to permit a carrier to use, disclose, or permit access to, the customer's CPNI.
(1) The notification must state that the customer has a right, and the carrier has a duty, under federal law, to protect the confidentiality of CPNI.
(2) The notification must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.
(3) The notification must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes. However,

carriers may provide a brief statement, in clear and neutral language, describing consequences directly resulting from the lack of access to CPNI.
(4) The notification must be comprehensible and must not be misleading.
(5) If written notification is provided, the notices must be clearly legible, use sufficiently large type, and be placed in an area so as to be readily apparent to a customer.
(6) If any portion of a notification is translated into another language, then all portion of the notification must be translated into that language.
(7) A carrier may state in the notification that the customer's approval to use CPNI may enhance the carrier's ability to offer products and services tailored to the customer's needs. A carrier also may state in the notification that it may be compelled to disclose CPNI to any person upon affirmative written request by the customer.
(8) A carrier may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.
(9) The notification must state that any approval, or denial of approval for the use of CPNI outside of the service to which the customer already subscribes from that carrier is valid until the customer affirmatively revokes or limits such approval or denial.
(10) A telecommunications carrier's solicitation for approval must be proximate to the notification of a customer's CPNI rights.
(d) <i>Notice Requirements Specific to Opt-Out.</i> A telecommunications carrier must provide notification to obtain opt-out approval through electronic or written methods, but not by oral communication (except as provided in paragraph (f) of this section). The contents of any such notification must comply with the requirements of paragraph (c) of this section.
(1) Carriers must wait a 30-day minimum period of time after giving customers notice and an opportunity to opt-out before assuming customer approval to use, disclose, or permit access to CPNI. A carrier may, in its discretion, provide for a longer period. Carriers must notify customers as to the applicable waiting period for a response before approval is assumed.
(i) In the case of an electronic form of notification, the waiting period shall begin to run from the date on which the notification was sent; and
(ii) In the case of notification by mail, the waiting period shall begin to run on the third day following the date that the notification was mailed.
(2) Carriers using the opt-out mechanism must provide notices to their customers every two years.

(3) Telecommunications carriers that use e-mail to provide opt-out notices must comply with the following requirements in addition to the requirements generally applicable to notification:
(i) Carriers must obtain express, verifiable, prior approval from consumers to send notices via e-mail regarding their service in general, or CPNI in particular;
(ii) Carriers must allow customers to reply directly to e-mails containing CPNI notices in order to opt-out;
(iii) Opt-out e-mail notices that are returned to the carrier as undeliverable must be sent to the customer in another form before carriers may consider the customer to have received notice;
(iv) Carriers that use e-mail to send CPNI notices must ensure that the subject line of the message clearly and accurately identifies the subject matter of the e-mail; and
(v) Telecommunications carriers must make available to every customer a method to opt-out that is of no additional cost to the customer and that is available 24 hours a day, seven days a week. Carriers may satisfy this requirement through a combination of methods, so long as all customers have the ability to opt-out at no cost and are able to effectuate that choice whenever they choose.
(e) <i>Notice Requirements Specific to Opt-In.</i> A telecommunications carrier may provide notification to obtain opt-in approval through oral, written, or electronic methods. The contents of any such notification must comply with the requirements of paragraph (c) of this section.
(f) <i>Notice Requirement Specific to One-Time Use of CPNI.</i> (1) Carriers may use oral notice to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call, regardless of whether carriers use opt-out or opt-in approval based on the nature of the contact.
(2) The contents of any such notification must comply with the requirements of paragraph (c) of this section, except that telecommunications carriers may omit any of the following notice provisions if not relevant to the limited use for which the carrier seeks CPNI:
(i) Carriers need not advise customers that if they have opted-out previously, no action is needed to maintain the opt-out election;
(ii) Carriers need not advise customers that they may share CPNI with their affiliates or third parties and need not name those entities, if the limited CPNI usage will not result in use by, or disclosure to, an affiliate or third party;
(iii) Carriers need not disclose the means by which a customer can deny or withdraw future access to CPNI, so long as carriers explain to customers that the scope of the

approval the carrier seeks is limited to one-time use; and

(iv) Carriers may omit disclosure of the precise steps a customer must take in order to grant or deny access to CPNI, as long as the carrier clearly communicates that the customer can deny access to his CPNI for the call. [67 FR 59212, Sept. 20, 2002]

Airfone Statement: Airfone did not use, disclose or permit access to CPNI to market its air-to-ground telephone service or any other service during 2005. All Airfone customer care personnel follow guidelines and policies designed to protect the billing information associated with a particular call. Any person inquiring about service or disputing a charge for a call must pass an authentication process. For calls made from commercial airlines, this authentication process requires the customer to provide the number of the credit card used, the number called, the airline name, flight number and date of travel. For General Aviation Service customers, the caller also must provide the customer's name and the radio serial number associated with the customer's telephone equipment.

64.2009 Safeguards required for use of customer proprietary network information

(a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI.

(b) Telecommunications carriers must train their personnel as to when they are and are not authorized to use CPNI, and carriers must have an express disciplinary process in place.

(c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year.

(d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval.

(e) A telecommunications carrier must have an officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is or is not in compliance with the rules in this subpart.

(f) Carriers must provide written notice within five business days to the Commission of any instance where the opt-out mechanisms do not work properly, to such a degree that

consumers' inability to opt-out is more than an anomaly.

(1) The notice shall be in the form of a letter, and shall include the carrier's name, a description of the opt-out mechanism(s) used, the problems(s) experienced, the remedy proposed and when it will be/was implements, whether the relevant state commissions(s) has been notified and whether it has taken any action, a copy of the notice provided to customer, and contact information.

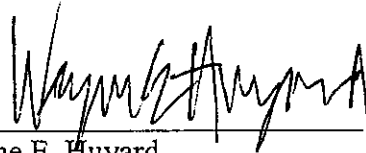
(2) Such notice must be submitted even if the carrier offers other methods by which consumers may opt-out. [63 FR 20038, April 24, 1998, as amended at 64 FR 53264, Oct. 1, 1999; 67 FR 59213, Sept. 20, 2002]

Airfone Statement: Airfone did not use, disclose or permit access to CPNI to market its air-to-ground telephone service or any other service during 2005. Customer information is obtained to initiate service but thereafter it is only used to bill for telephone calls made. All Airfone customer care personnel follow guidelines and policies designed to protect the billing information associated with a particular call. Any person inquiring about service or disputing a charge for a call must pass an authentication process. For calls made from commercial airlines, this authentication process requires the customer to provide the number of the credit card used, the number called, the airline name, flight number and date of travel. For General Aviation Service customers, the caller also must provide the customer's name and the radio serial number associated with the customer's telephone equipment. Employees are trained regarding the proper use of this information and, under Verizon's Code of Business Ethics, are subject to discipline up to and including dismissal.

CERTIFICATE OF COMPLIANCE

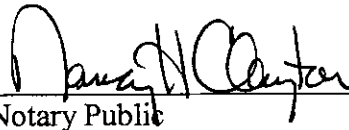
I, Wayne E. Huyard, as President, US Sales and Service, of MCI, Inc. ("MCI"), am authorized to execute this certification on behalf of MCI.

I hereby attest, based on my personal knowledge, that MCI has established operating procedures that are adequate to ensure compliance with 47 CFR § 64.2009, the Federal Communication Commission rules pertaining to the safeguards required for use of customer proprietary network information ("CPNI").



Wayne E. Huyard
President, US Sales and Service
MCI, Inc.

Subscribed and sworn to before me this 22 day of December, 2005.



Notary Public

My Commission expires: 6/30/07

Statement Supporting CPNI Compliance Certificate
MCI Mass Markets
2005

RULE 64.2009(a). Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI. (47 C.F.R. § 64.2009(a))

SUPPORTING STATEMENT. Mass Markets has not engaged in seeking either opt-out or opt-in consent from its entire customer base because its use of customer-specific CPNI in its marketing efforts is limited to the following: (i) use within the parameters of the "total service approach", which permits a carrier to market services within the package of services to which the customer already subscribes, and (ii) use in accordance with customer consent obtained within the FCC's permitted "streamlined consent for one-time use of CPNI".

During sales of local service, MCI obtains such consent before it views the LEC customer service record for the purpose of viewing the customer's current local service selections, including type of service and features. During telephone sales transactions, sales representatives receive a prompt on their computer desktops that reminds representatives to ask the relevant consent question, and requires representatives to record the customer's consent. The consent question is as follows: "Mr/Mrs Customer, to process your order, may I review your current local phone service record? In checking your local phone service record, we are looking at the features you have and how your information is listed. Checking the record will ensure your order will be processed correctly. Your consent will remain in effect until your order is completed, unless you contact MCI Customer Service. MCI is required by law to keep this information confidential to protect your privacy, and your current services will not be affected."

Mass Markets sales made through the use of paper or electronic Letter of Agency also contain a CSR consent statement: "In order to process your order, MCI needs your permission to review your current local phone services, telephone numbers, and features. This will allow MCI to verify that the order for your new services has been fully and accurately completed. Your consent will remain in effect until your order is completed, unless you contact MCI Customer Service. MCI is required by law to keep this information confidential to protect your privacy, and your current services will not be affected. Please indicate your approval by adding your signature below." There is a separate signature and date line on the paper LOA to record CSR consent. There is a checkbox on the electronic LOA

RULE 64.2009(b). Telecommunications carriers must train their personnel as to when they are, and are not authorized to use CPNI, and carriers must have an express disciplinary process in place. (47 C.F.R. § 64.2009(b))

SUPPORTING STATEMENT. MCI trains its personnel concerning the proper use of CPNI in accordance with law. It is a violation of policy and procedure for MCI sales or

customer service representatives to omit asking the CSR consent question during a sales transaction, or to use CPNI information inappropriately during a sales call to a base customer. Such violations are considered "Tier 3" escalations, which subjects the representative to disciplinary action up to and including termination.

RULE 64.2009(c). All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year. (47 C.F.R. § 64.2009(c))

SUPPORTING STATEMENT. The Mass Markets division's policies and procedures with regard to recordkeeping, disclosure and sharing of CPNI with third parties are as follows: (i) Mass Markets' use of CPNI for calling campaigns is limited to CPNI that may legally be used in accordance with either the "total service approach" or pursuant to a streamlined, one-time consent obtained from the customer. When a representative makes a local sale, and receives consent from a customer to view his or her CSR, MCI keeps a record of that consent. If the customer's CPNI is used in a calling campaign, Mass Markets retains records containing the description of each such campaign, the specific CPNI used, and what products or services were offered in the campaign. These records are retained for at least one year. (ii) Mass Markets does not share its customers' CPNI with either its affiliates or with third parties. TeleCom*USA ("TUSA"), a Mass Markets affiliate, sells a consumer long distance product but does not target MCI customers or use customer CPNI in its sales presentation. TUSA accounts are distinguished from MCI accounts in the account database and MCI sales representatives do not have access to TUSA customer account information. With the exception of one group of customer service representatives responsible for handling both MCI and TUSA accounts, MCI customer service representatives' access to TUSA accounts is blocked. Those representatives who provide customer service on both TUSA and MCI accounts are trained not to use CPNI in cross affiliate marketing transactions

RULE 64.2009(d). Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart for outbound marketing situations and maintain records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval. (47 C.F.R. § 64.2009(d))

SUPPORTING STATEMENT. Compliance with CPNI regulations is a consideration in MCI's marketing programs, and is reflected in sales training. These programs and training are performed under the supervision of Mass Markets executives and in consultation with Mass Markets LPP, and compliance with MCI's internal policies and procedures, as well as with the requirements of the FCC's CPNI rules in 47 C.F.R.

Subpart U, is continuously reviewed. As I noted previously, Mass Markets does not use CPNI in outbound marketing campaigns, outside the two exceptions mentioned (the "total service approach" and streamlined one-time consent obtained from the customer). Accordingly, no requests for supervisory approval of the use of CPNI in outbound marketing are made or granted.

RULE 64.2009(e). A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart. (47 C.F.R. § 64.2009(e))

SUPPORTING STATEMENT. This statement supports the 2005 compliance certificate signed on behalf of MCI by Wayne Huyard with respect to Mass Markets use of CPNI.

**Statement Supporting CPNI Compliance Certificate
MCI Business Markets and Government Markets
2005**

Ron McMurtrie, Senior Vice President

RULE: (a) Telecommunications carriers must implement a system by which the status of a customer's CPNI approval can be clearly established prior to the use of CPNI. (47 C.F.R. §64.2009 (a))

SUPPORTING STATEMENT: Commercial customer agreements contain customer consent to the use of CPNI for internal marketing. If that consent is withdrawn, either in the contract negotiation process or later, MCI's customer contact records (particularly the OneView system) are updated to reflect that fact. Government Markets does not use CPNI for marketing.

RULE: (b) Telecommunications carriers must train their personnel as to when they are, and are not authorized to use CPNI, and carriers must have an express disciplinary process in place. (47 C.F.R. §64.2009 (b))

SUPPORTING STATEMENT: Marketing has implemented LPP-approved CPNI compliance training (including discipline for noncompliance) for Business Markets and Government Markets employees, including sales; customer service; and marketing strategy, channel support, programs and communications.

RULE: (c) All carriers shall maintain a record, electronically or in some other manner, of their own and their affiliates' sales and marketing campaigns that use their customers' CPNI. All carriers shall maintain a record of all instances where CPNI was disclosed or provided to third parties, or where third parties were allowed access to CPNI. The record must include a description of each campaign, the specific CPNI what was used in the campaign, and what products and services were offered as a part of the campaign. Carriers shall retain the record for a minimum of one year. (47 C.F.R. §64.2009 (c))

SUPPORTING STATEMENT: Marketing has created a standard form to capture pertinent information regarding any sales or marketing campaign and established a process for completing the form and maintaining records for a minimum of one year.

RULE: (d) Telecommunications carriers must establish a supervisory review process regarding carrier compliance with the rules in this subpart

for outbound marketing situations and maintain records of carrier compliance for a minimum period of one year. Specifically, sales personnel must obtain supervisory approval of any proposed outbound marketing request for customer approval. (47 C.F.R. §64.2009 (d))

SUPPORTING STATEMENT: MCI's sales, service and marketing to commercial business customers is undertaken under the general direction and supervision of the Business Markets and Government Markets management teams, which use a variety of methods to oversee the use of CPNI (as well as other forms of sensitive customer information) to ensure that it is handled properly. Those teams have received training on CPNI compliance, including the need for supervisory approval and recordkeeping of outbound marketing for CPNI approvals.

RULE: (e) A telecommunications carrier must have a corporate officer, as an agent of the carrier, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the rules in this subpart. The carrier must provide a statement accompanying the certificate explaining how its operating procedures ensure that it is, or is not, in compliance with the rules in this subpart. (47 C.F.R. §64.2009 (e))

SUPPORTING STATEMENT: This statement supports the 2005 compliance certificate signed on behalf of MCI by Wayne Huyard with respect to Business Markets and Government Markets use of CPNI.